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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/800,222	03/12/2004	Dennis Wolever	88265-7735

28765
WINSTON & STRAWN
PATENT DEPARTMENT
1400 L STREET, N.W.
WASHINGTON, DC 20005-3502



CONFIRMATION NO. 8552
FORMALITIES LETTER



OC000000013925686

Date Mailed: 09/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
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*A copy of this notice **MUST** be returned with the reply.*

Phuong Bui
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Express Mail No. EV 346 811 935 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dennis WOLEVER et al.

Confirmation No.: 8552

Application No.: 10/800,222

Group Art Unit: 1761

Filing Date: March 12, 2004

Examiner:

For: EDIBLE FAT-BASED SHELL FOR
CONFECTIONERIES AND METHOD FOR
PRODUCING SAME

Atty. Docket No.: 88265-7735

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313 - 1450

Sir:

In response to the Notice to File Missing Parts of NonProvisional Application (hereinafter the "Notice") mailed by the U.S. Patent and Trademark Office on September 28, 2004 in connection with the above-captioned application, Applicants submit herewith the following documents:

- (1) Executed Inventors' Declaration (2 pages);
- (2) Copy of Notice; copy of application; and
- (3) Executed Power of Attorney To Prosecute Application Before The USPTO with Statement Under 37 CFR 3.73(b) and copy of executed Assignment;

In accordance with the Notice, the surcharge for late filing of the declaration is estimated to be \$130 for large entity. Please charge all required fees to WINSTON & STRAWN LLP Deposit Account No. 50-1814. A duplicate of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date: _____

10/21/04


Allan A. Fanucci (Reg. No. 30,256)

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Enclosures